

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

January 21, 2005

Minutes of the regular City Council meeting held Tuesday, January 18, 2005 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present except Councilor Foster; Mayor Dowling presided.

Presentation - Capital Read 2005 - Betsy Pohl Lithgow Library Director. The selection is "The Lobster Chronicles" by Linda Greenlaw.

Public Hearing - Application for CDBG Innovative Housing Assistance Grant for \$400,000 to construct 24 units of work force housing in the old CMP building located on Water Street.

Public Hearing - Malt Liquor License application for Top Form Gym and Racquet Club, Inc, d/b/a Ascona Tennis and Health Club, 23 Leighton Road, Augusta (Order #019)

Public comments were held on items listed on the agenda

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED

182 BE IT ORDAINED, That Chapter 18, Section 41 (b) of the Revised Code of Ordinances 1990 (truck weight limits), as amended be further amended by adding the following:

Edward Street, entire length
Kenneth Street, entire length
Patriek Street, entire length
Patrick Street, entire length

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

NEW BUSINESSHAS BEEN READ, FIRST READING

024 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 6, Section 244. Use of area beside streets, of the Revised Code of Ordinances 1990, as amended, be further amended by revising subsections (a), (b) and (d) as follows:

(a) No person shall use the land area between the outside of the city travel way (wrought way) for vehicles and the legal limits of the public right-of-way on Winthrop Street between the east side of Pleasant Street extended southerly to cross Winthrop Street and Blaine Avenue except for the present city sidewalks, pedestrian walkways to land of adjacent abutters, right-angle driveways to land of adjacent abutters connecting with a private driveway on the abutter's property, ~~ereseent driveways for the benefit of abutters and as described in subsection (e) below, and previously approved, existing crescent driveways for the benefit of abutters.~~

(b) In any event, no more than fifty (50) percent of the land area between the legal right of way line and the city travel way (wrought way) for vehicles abutting a property shall be used for such purposes by an abutter, or their tenants. Except for previously approved, existing driveways and crescent driveways, driveways for use by an abutter or their tenants shall not exceed twelve (12) feet in width on the land area between the legal right-of-way line and the city travel way (wrought way) for vehicles.

(d) The crescent driveways on Winthrop Street shall be considered driveways. Existing, previously approved, crescent driveways on Winthrop Street shall be considered driveways.

(FIRST READING, NO VOTE REQUIRED)

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

- 025 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 6, Section 244. Use of area beside streets, of the Revised Code of Ordinances 1990, as amended, be further amended by deleting subsection (e) as follows:

(e) Parking shall be permitted on the entire area between the travel way {wrought way} and the legal limits of the public right-of-way on Winthrop Street between October 15 and April 15. Any damage to unpaved areas shall be repaired by the abutter. All disturbed areas shall be graded and seeded by May 15.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

- 014 ORDERED, That minutes of the City Council meetings held January 3 and January 10, 2005 submitted by the City Clerk be approved.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund
Nays: 0

- 015 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$9,350.00.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund
Nays: 0

- 016 ORDERED, That Roll of Accounts #6 for the month of December 2004 in the amount of \$4,674,155.67 be approved.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund
Nays: 0

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED (Con't)

- 017 ORDERED, That Terrence McCabe be reappointed to the Augusta Development Commission; said term to expire December 31, 2007.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

- 018 ORDERED, That Robert Corey be appointed to the Planning Board to fill a vacancy; said term to expire January 18, 2008.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

- 019 ORDERED, That the following application for a Malt Liquor License be approved:

Top Form Gym and Racquet Club, Inc, d/b/a Ascona Tennis and Health Club, 23 Leighton Road, Augusta.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

- 020 BE IT RESOLVED, That the Augusta City Council finds that the draft lease agreement prepared by City Staff for the Edge/Spurwink School to occupy the City-owned building abutting Lithgow Library is consistent with Council Order #150, dated October 4, 2004, and the City Manager continues to be authorized to execute said lease.

Yeas: 6; Sotir, Doore, Gomeau,
Davis, Koski, Lund

Nays: 1; Lerman

- 021 ORDERED, That the City Council approve the proposed changes to the Cemetery rules and regulations, deed and fees for the City of Augusta. Refer to the following attachments:

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED (Con't)

021 Continued

- Opening and closing charges for graves
- Cemetery Lot Prices
- Proposed new conveyance
- Rules and Regulations for Augusta Municipal Cemeteries (Rev. 11/2004)

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

022 ORDERED, That the City Council does hereby grant approval pursuant to Title 15 of the Maine Revised Statutes Annotated Sections 5824(3) & 5826(6) to the transfer of (\$5,770.00), U.S. Currency, Defendant in Rem, or any portion thereof, on the grounds that the City of Augusta Police Department did make a substantial contribution to the investigation of this criminal case, namely, State of Maine v. Franklin F. Arbour, Jr., Kennebec County Superior Court, Docket No. CR-02-381.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

023 ORDERED, That the per capita fee to use the Hatch Hill Solid Waste Disposal and Recycling Facility be revised from \$10.50 per capita to \$15.00 per capita, effective January 1, 2006.

Yeas: 7; Sotir, Doore, Gomeau,
Lerman, Davis, Koski, Lund

Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk